

# CITY OF HAYWARD

## AGENDA REPORT

AGENDA DATE 04/10/01  
AGENDA ITEM 2  
WORK SESSION ITEM           

**TO:** Mayor and City Council

**FROM:** Director of Community and Economic Development

**SUBJECT:** Consolidated Landscaping and Lighting District No. 96-1, Zones 1-9 – Preliminarily Approve the Engineer's Report, Adopt a Resolution of Intention and Set June 19, 2001, as the Public Hearing Date

### RECOMMENDATION:

It is recommended that the City Council preliminarily approve the Engineer's Report, adopt a Resolution of Intention, and set June 19, 2001 as the public hearing date.

### DISCUSSION:

In 1996 there were six separate Landscape and Lighting Districts throughout the City of Hayward. On May 7, 1996 Consolidated Landscape and Lighting District No. 96-1 (the "District") was formed to consolidate each of the districts, and subsequently six separate benefit zones were created. In 1998, 1999, and 2000, Benefit Zones No. 7, 8 and 9 were respectively annexed to the District.

Table I below provides general information regarding the number of parcels within each benefit zone of the Consolidated Landscaping and Lighting District No. 96-1.

Table I				
Consolidated Landscaping and Lighting District No. 96-1				
District Information				
Zone No.	Name / Location	Year Formed	Type of Development	Number of Housing Units
1	Huntwood Avenue and Panjon Street	1990	Residential	30
2	Harder Road and Mocine Avenue	1991	Residential	85
3	Hayward Boulevard and Fairview Avenue	1992	Residential	152
4	Pacheco Way, Stratford Road, Ruus Lane, Ward Creek	1995	Residential	175
5	Soto Road and Plum Street	1995	Residential	38
6 <sup>(1)</sup>	Peppertree Park	1982	Industrial	11
7	Mission Blvd., Industrial Parkway, Arrowhead Way	1998	Residential	348
8	Capitola Street	1999	Residential	24
9	Orchard Avenue	2000	Residential	74
<b>Notes:</b>			<b>Total</b>	<b>937</b>
(1) Zone 6 is in the Industrial district.				

The attached Engineer's Report includes separate budgets for each benefit zone. Only the costs for the Engineer's Report, printing, and advertising are shared between the benefit zones. The proposed levies for Fiscal Year 2001-02 are as shown in Table II below.

<b>Table II</b>				
<b>Consolidated Landscaping and Lighting District No. 96-1</b> <b>Summary of Assessments and Collections</b>				
<b>Zone No.</b>	<b>FY 2000-01</b>		<b>FY 2001-02</b>	
	<b>Base Assessment</b>	<b>Collection <sup>(1)</sup></b>	<b>Base Assessment</b>	<b>Collection <sup>(1)</sup></b>
1	\$265.64	\$79.16	\$265.64	\$79.16
2	\$93.09	\$93.09	\$93.09	\$65.00
3	\$328.83	\$328.83	\$328.83	\$328.83
4	\$121.01	\$120.68	\$121.01	\$120.68
5	\$139.12	\$139.12	\$197.37	\$197.37
6 <sup>(2)</sup>	\$2.61	\$2.61	\$2.61	\$2.61
7 <sup>(3)</sup>	\$623.44	\$399.84	\$642.18	\$399.84
8 <sup>(3)</sup>	\$442.83	\$397.42	\$459.29	\$240.00
9 <sup>(3)</sup>	\$125.00	\$125.00	\$125.00	\$30.00
<b>Notes:</b> (1) Assessment amounts shown include a 1.7% County collection charge. (2) Zone 6 is in the industrial district. Assessment shown is per linear foot. (3) Maximum assessment can be increased each year based on the CPI.				

Collection amounts can be less than the base assessment amount for each benefit zone if there are surplus funds available from the prior year which are carried forward. Collection amounts that are proposed to be levied below the base assessment amounts are located within Zones No. 1, 2, 4, 7, 8 and 9. For Zones No. 3 and 6, the collection amounts are proposed to be levied at their base assessment amounts. For Zone No. 5, an increase to the base assessment will be proposed along with an amendment for an automatic annual consumer price index increase.

In Zone No. 2, the collection rate will be reduced due to the temporary loss of landscaped areas associated with the Harder Road Underpass project. After the project is completed, the landscaped area will be restored (estimated in two years) and an increase in the collection rate will accompany this change.

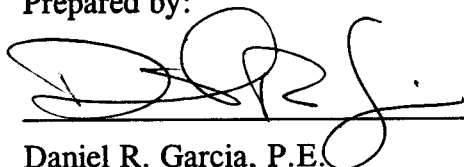
Some homeowners in Zone No 3 have expressed interest in improving their landscaping scheme significantly. This would result in an increase in the base assessment if more than 50% of the ballots received are favorable for the increase. However, no increase in base assessments will occur this year as all homeowners in this neighborhood have not been fully informed about the project.

The proposed increase in base assessments for Zone No. 5 is due to expenditures exceeding revenue. A public meeting followed by balloting will be conducted for this increase.

Zone No. 8 had its collection per parcel reduced because revenues have been exceeding expenditures creating an increased reserve fund.

Public meetings will be held late April and early May of 2001 to provide property owners information on the various zones of benefit, their corresponding assessments and to take testimony. All property owners will be given the opportunity to address their concerns regarding assessments prior to the conclusion of the public hearing on June 19, 2001.

Prepared by:



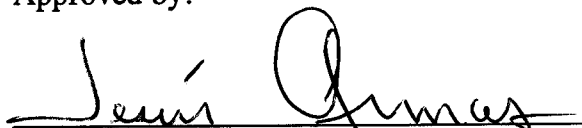
Daniel R. Garcia, P.E.  
Development Review Services Engineer

Recommended by:



Sylvia Ehrenthal  
Director of Community and Economic Development

Approved by:



Jesús Armas, City Manager

Exhibits:

- A. Assessment Diagram
- B. Engineer's Report  
Draft Resolution

4.4.01

# DRAFT

HAYWARD CITY COUNCIL

RESOLUTION NO. \_\_\_\_\_

Introduced by Council Member \_\_\_\_\_

RESOLUTION PRELIMINARILY APPROVING ENGINEER'S REPORT, DECLARING INTENTION TO LEVY ASSESSMENTS FOR FISCAL YEAR 2001-2002, AND SETTING JUNE 19, 2001, AS THE PUBLIC HEARING DATE CONCERNING CONSOLIDATED LANDSCAPING AND LIGHTING DISTRICT NO. 96-1, ZONES 1-9

BE IT RESOLVED by the City Council of the City of Hayward, as follows:

1. On May 7, 1996, the Consolidated Landscape and Lighting District No. 96-1, Zones 1-6 (the "District") was established by the adoption of Resolution No. 96-93 and, subsequently, Zones 7, 8 and 9 were respectively annexed to the District.
2. The Engineer of Work has prepared a report in accordance with the provisions of Article XIID, Section 4, of the California Constitution, provisions of the Landscaping and Lighting Act of 1972, and Section 22500 *et seq.* of the California Streets and Highway Code. Said report has been made, filed, and duly considered by this City Council and is hereby deemed sufficient and preliminarily approved. Said report shall stand as the report for all subsequent proceedings relating to the proposed levy of District assessments for fiscal year 2001-2002.
3. It is the intention of the City Council to order the levy and collect assessments within the District for fiscal year 2001-2002.
5. Reference is hereby made to the aforementioned report on file with the City Clerk for a full and detailed description of the improvements, the boundaries of the proposed maintenance district, and the proposed assessments upon assessable lots within said district, which assessments for the fiscal year 2001-2002 are proposed to be changed to a range of assessments, with such range to be increased by annual increases in the California Consumer Price Index.
6. A public hearing shall be held on the levy of the proposed assessments before this Council on June 19, 2001, at the hour of 8 p.m., in the regular meeting place of this City Council, City Council Chambers, 777 B Street, Hayward, California. Prior to the conclusion of said public hearing, any interested person

may file a written protest with the City Clerk, or having previously filed a protest, may file a written withdrawal of that protest. A written protest by a property owner shall contain a description sufficient to identify the property owned by such owner.

7. The City Clerk is hereby directed to cause a notice of said meeting and hearing to be made in the form and manner provided by law, specifically section 54954.6 of the Government Code of the State of California.

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2001

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST: \_\_\_\_\_  
City Clerk of the City of Hayward

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney of the City of Hayward

**DUE TO THE LENGTH OF REFERENCED EXHIBITS, THEY ARE NOT AVAILABLE FOR WEBSITE VIEWING. THE AGENDA REPORT IN ITS ENTIRETY IS AVAILABLE FOR REVIEW IN THE CITY CLERK'S OFFICE AND AT THE MAIN LIBRARY.**